

MESSAGE NO: 3121209 MESSAGE DATE: 05/01/2003

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-570-853

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 07/06/2000 TO 06/30/2001

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR BULK ASPIRIN FROM CHINA EXCEPT JILIN  
HENGHE PHARMACEUTICAL CO., LTD. (-001) AND SHANDONG XINHUA PHARMACEUTICAL  
CO., LTD. (-002)

MESSAGE NO: 3121209

DATE: 05 01 2003

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 853

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PERIOD COVERED: 07 06 2000 TO 06 30 2001

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR BULK ASPIRIN FROM CHINA  
EXCEPT JILIN HENGHE PHARMACEUTICAL CO., LTD. (-001)  
AND SHANDONG XINHUA PHARMACEUTICAL CO., LTD. (-002)

1. ON 03/13/2003, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE  
FEDERAL REGISTER (68 FR 12036) ITS AMENDED FINAL RESULTS OF THE  
ANTIDUMPING DUTY ADMINISTRATIVE REVIEW ON BULK ASPIRIN FROM THE  
PEOPLE'S REPUBLIC OF CHINA (A-570-853).

2. UNTIL FURTHER NOTICE, ENTRIES OF MERCHANDISE OF EXCEPTED  
FIRMS SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC  
INSTRUCTIONS AFTER THE LIFTING OF THE PRELIMINARY INJUNCTIONS.

THE EXCEPTED FIRMS ARE JILIN HENGHE PHARMACEUTICAL CO., LTD. (A-570-853-001) AND SHANDONG XINHUA PHARMACEUTICAL CO., LTD. (A-570-853-002). CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED BY JILIN HENGHE PHARMACEUTICAL

CO., LTD. AND SHANDONG XINHUA PHARMACEUTICAL CO., LTD. AND ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 07/06/2000 THROUGH 06/30/2001.

3. FOR ALL OTHER SHIPMENTS OF BULK ASPIRIN FROM THE PEOPLE'S REPUBLIC OF CHINA, EXCEPT FOR MERCHANDISE PRODUCED AND EXPORTED BY JILIN HENGHE PHARMACEUTICAL CO., LTD. AND SHANDONG XINHUA PHARMACEUTICAL CO., LTD., ENTERED OR WITHDRAWN FROM WAREHOUSE FOR

CONSUMPTION DURING THE PERIOD 07/06/2000 THROUGH 06/30/2001, ASSESS AN ANTIDUMPING DUTY LIABILITY ON THE ENTERED VALUE EQUAL TO THE PERCENTAGE LISTED BELOW.

PRC WIDE AD VALOREM RATE (A-570-853-000): 144.02 PERCENT

4. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIOD LISTED ABOVE SUBJECT TO THE EXCEPTION AND CONDITIONS SET FORTH IN PARAGRAPH 2 ABOVE. FOR ALL OTHER SHIPMENTS OF BULK ASPIRIN FROM THE PEOPLE'S REPUBLIC OF CHINA YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS AND ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST

SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE DEPARTMENT OF COMMERCE REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT BLANCHE ZIV AT 202-482-4207, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party